

REMARKS

In view of both the amendments presented above and the following discussion, the applicants submit that none of the claims now pending in the application are anticipated or obvious under the provisions of 35 USC §§ 102 and 103. Furthermore, the applicants also submit that all of these claims now satisfy the requirements of 35 USC § 112. Thus, the applicants believe that all of these claims are now in allowable form.

If the Examiner believes that there are any unresolved issues in any of the claims now pending in the application, the Examiner is urged to telephone George Wolken Jr., Esq. at (408) 567-0340 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Additional Inventor

Documents to add John Hauser as a co-inventor are attached hereto.

Claim Rejections- 35 U.S.C. § 112

Claims 1 and 10 have been amended to specify more precisely the form of re-mapping by reference to a particular class of digital oscillators and a particular class of re-mappings, supported by the subject matter in paragraphs [0038] - [0004] (among other places) of the Substitute Specification. Applicants respectfully submit

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that this amended claim 1 meets the Examiner's objections under 35 U.S.C. §112 as to claims 1-13.

Claim Rejections - 35. U.S.C. §102

The Examiner has rejected claims 16-18 under 35 U.S.C. § 102(f) as being anticipated by Hodes et al as cited in full by the Examiner. Attached hereto is a declaration by the attorney representing applicants in this case to the effect that, following diligent investigation, Freed, Hodes and Hauser are the proper joint inventors and that the contributions of co-authors Wessel and Wawrzynek to the cited reference do not qualify them as joint inventors under 35 U.S.C. § 116. Applicants thus respectfully request that the claim rejection pursuant to 35 U.S.C. § 102(f) be withdrawn.

The Examiner has rejected claims 1-5 and 10-18 under 35 U.S.C. § 102(a) as anticipated by "Hodes," citing a reference published August 6, 1998. However, in the present office action, the Examiner has granted a priority date for the present application deriving from provisional application 60/124,273 filed March 11, 1999. Applicants respectfully submit that the "Hodes" reference is not prior art with respect to subject matter having a 3/11/99 priority date as it was published less than one year prior to the current priority date. Applicants respectfully request that the rejections on the "Hodes" reference be withdrawn in light of the priority date granted by the Examiner.

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Claim Rejections - 35. U.S.C. §103

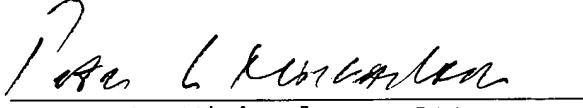
The amendments to claim 1 and claim 10 presented herein distinguish claims 1 and 10 (as well as claims 2-9 and 11-13 dependent thereon) from the prior art and, therefore, are allowable as amended.

Conclusion

In view of the above amendments and arguments, the applicants respectfully submit all claims 1-18 are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

Respectfully submitted,

December 6, 2005


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CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on **December 6, 2005** with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Peter C. Hargan
Signature

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